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Atty. Dkt. No. 023727-2201

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 22-25 and 67 are requested to be cancelled without prejudice or disclaimer.

Claims 26, 31-36, 38, 41, 42, 50, 51, 68-70 and 72 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-21, 26-52, 60-66 and 68-72 are now pending in this application.

Claims 1, 6, 9-14, 16, 17, 22-27, 31-36, 60-63 and 67-70 were rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-37 of U.S. Patent No. 6,955,446 in view of U.S. Patent No. 6,012,824 to Sharrah et al. (hereinafter Sharrah). Further, claims 22-25, 67, 69 and 70 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Sharrah. As to canceled claims 22-25 and 67, the rejection is moot.

Applicant has filed concurrently herewith a terminal disclaimer to disclaim the terminal part of the term of any patent granted on the present application which would extend beyond the full statutory term of U.S. Patent No. 6,955,446. Accordingly, the obviousness-type double-patenting rejection should be withdrawn. Further, Applicant has rewritten claims 26 and 68 in independent form, including all of the limitations of the base claim, claims 31-36 have been amended to depend from newly independent claim 26, and claims 69 and 70 have been amended to depend from newly independent claim 68.

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Accordingly, independent claims 1, 26, 60 and 68 are patentable. Claims 6, 9-14, 16 and 17 depend from allowable claim 1 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole. Similarly, claim 27 and 31-36 depend from allowable claim 26, claims 61-63 depend from allowable claim 60, and claims 69 and 70 depend from allowable claim 68. Therefore, claims 27, 31-36, 61-63, 69 and 70 are patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

Applicant appreciates the indication of allowable subject matter in claims 2-5, 7, 8, 15, 18-21, 28-30, 37-52, 64-66, 71 and 72. Claim 72 has been rewritten in independent form, including all of the limitations of the base claim, and claims 38, 41, 42, 50 and 51 have been amended to depend from allowable claim 26. Claims 2-5, 7, 8, 15 and 18-21 depend from allowable claim 1 and are, therefore, patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole. Further, claims 28-30 and 37-52 depend from allowable claim 26, claims 64-66 depend from allowable claim 60, and claim 71 depends from allowable claim 68. Therefore, claims 28-30, 37-52, 64-66 and 71 are patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid

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amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

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